

(H.B. 526)

(No. 8)

(Approved January 18, 2006)

AN ACT

To add a clause (12) to subsection (A) of Section 9 of Act No. 70 of September 18, 1992, as amended, known as the “Puerto Rico Solid Waste Reduction and Recycling Act,” in order to prohibit exclusivity contracts signed or executed by companies who acquire, sell or cede recycled materials or materials to be recycled in Puerto Rico.

STATEMENT OF MOTIVES

The natural beauties of our Island are being affected by the enormous accumulation of solid waste, the population growth and negligence of some Puerto Ricans. The development of recycling programs in the Island is an important tool for the control of the serious problem that has been created by the accumulation of waste.

We should plan today, ahead of time, and before it is too late, so that future generations are able to enjoy and recognize the natural beauties that characterize our Puerto Rico. The growing technological advances have managed to develop machinery that recycles solid waste and thus diminishes the problems that it causes to the environment.

However, this recycling process is affected when exclusivity contracts are executed by companies that acquire, sell or cede recycled materials or materials to be recycled in the Island. For the purpose of ensuring a better health for our people, the Legislature of Puerto Rico deems it necessary to prohibit this type of contract so that when there is a possibility of providing

better recycling opportunities, it can be done without being tied down by a contract or a particular entity.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- A new clause (12) is hereby added to subsection (A) of Section 9 of Act No. 70 of September 18, 1992, as amended, to read as follows:

“Section 9.- Solid Waste Reduction and Recycling Program.-

(A) The Program to be developed and implemented by the Authority shall:

(1) ...

(2) It is hereby prohibited for any company engaged in recycling or that acquires, sells or cedes recycled materials or materials to be recycled in Puerto Rico, to sign or execute exclusivity contracts, in order to promote free competition, thus benefiting consumers.

Section 2.- The prohibition established in the preceding Section 1 of this Act shall be applicable as of the approval thereof.

Section 3.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 8 (H.B. 526) of the 3rd Session of the 15th Legislature of Puerto Rico:

AN ACT to add a clause (12) to subsection (A) of Section 9 of Act No. 70 of September 18, 1992, as amended, known as the “Puerto Rico Solid Waste Reduction and Recycling Act,” in order to prohibit exclusivity contracts signed or executed by companies who acquire, sell or cede recycled materials or materials to be recycled in Puerto Rico,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 2nd of June of 2006.

Francisco J. Domenech
Director